

Meeting Minutes  
April 7, 2005

Town of Los Altos Hills  
City Council Regular Meeting

Thursday, April 7, 2005 6:00 P.M.

Bullis School Multi-Purpose Room, 25890 Fremont Road

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Present: Mayor Mike O'Malley, Councilmember Craig A. T. Jones, and  
Councilmember Dean Warshawsky  
Absent: Mayor Pro Tem Breene Kerr and Councilmember Jean Mordo  
Staff: City Manager Maureen Cassingham, Assistant City Attorney John Bakker,  
Administrative Services Director Sarah Joiner, Acting City  
Engineer/Public Works Director Dave Ross and City Clerk Karen Jost

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Jones and passed unanimously to limit the length of time for public comments to three minutes.

2. APPOINTMENTS AND PRESENTATIONS

2.1 Presentation by Laura Stuchinsky, Director of Transportation and Land Use,  
Silicon Valley Leadership Group

Laura Stuchinsky, Silicon Valley Leadership Group, addressed Council. She explained that she was seeking Council's support for Senate Bill 680 sponsored by Senator Joe Simitian. Stuchinsky distributed the latest iteration of the plan and noted that it had been endorsed by eleven (11) jurisdictions to date. SB680 would impose a \$5 annual surcharge on vehicles registered in Santa Clara County and would sunset in 2014. The fee would generate approximately \$7 million each year and \$56 million over eight years. SB680, as presented, would fund a number of modestly-priced, high priority traffic congestion relief projects throughout the County that would potentially benefit the numerous Town residents who commute. The Town would receive their pro-rata share of \$9,600 per year to fund local projects.

Council thanked Stuchinsky for her presentation.

2.1.1 Consideration of Resolution in Support of Senate Bill 680 Santa Clara  
County Traffic Relief Legislation

Council discussion of SB680 ensued. There was a consensus that the modest fee would be of benefit to those that commute and that Council could support a local fee for local improvements.

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Warshawsky seconded by Jones and passed unanimously to adopt Resolution No. 32-05 Supporting SB680 Proposing a Five Dollar Supplement to Vehicle Registration Fee.

## 2.2 Certificate of Appreciation – Duffy Price, Open Space Committee

Mayor O'Malley presented a Certificate of Appreciation to Duffy Price, Open Space Committee, noting that she had served the community admirably. Council echoed the Mayor's kudos and thanked Price for all of her efforts and many hours of volunteer service.

## 2.3 Appointment to the Los Altos Senior Center Board – Fran Mehner

Fran Mehner introduced herself to Council and explained that she was seeking appointment to the Los Altos Senior Center as the Los Altos Hills representative. Ms. Mehner has resided in the Town for over forty (40) years and was a former member of the Los Altos Hills Town Hall staff.

Council thanked Ms. Mehner for her offer to serve as a volunteer in this capacity and acknowledged that she would be a wonderful representative of the community.

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Jones and passed unanimously to appoint Fran Mehner to the Los Altos Senior Center Board of Directors as the Los Altos Hills representative.

## 2.4 Appointment(s) to the Environmental Initiatives Committee

Council had before them for their consideration an application from Kelly Pope to serve on the Environmental Initiatives Committee. Councilmember Jones reported that the Committee had recently held their first meeting and Pope had been in attendance and he supported her nomination.

MOTION SECONDED AND CARRIED: Moved by Jones, seconded by Warshawsky and passed unanimously to appoint Kelly Pope to the Environmental Initiatives Committee for a term of four years.

## 3. PLANNING COMMISSION REPORT

City Manager Maureen Cassingham reported that the Planning Commission had not met since the last City Council meeting.

## 4. CONSENT CALENDAR

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by Jones and passed unanimously to approve the Consent Calendar, specifically:

- 4.1 Approval of Minutes: Special City Council Meeting – March 8, 2005  
Special City Council Meeting – March 17, 2005  
Regular City Council Meeting – March 17, 2005

- 4.2 Review of Disbursements: 3/11/2005 – 3/31/2005 \$323,584.48
- 4.3 Claim for Damages to Metal Storage Building – Meryln Stubbs, 26811 Moody Court
- 4.4 Request for Extension of the Expiration Date for a Site Development Permit that Includes a Major Addition and Hardscape Improvements, Lands of Nagaraj, 25769 Elena Road, File #51-03-ZP-SD-GD
- 4.5 Approval and Authorization of the Execution of Amendment No. 4 to the City Manager Employment Agreement between the Town of Los Altos Hills and Maureen Cassingham – Resolution # 34-05

## 5. UNFINISHED BUSINESS

### 5.1 Town Goals

#### 5.1.1 Complete Town Hall On Time and On Budget

##### 5.1.1a TBI Update

Tony Vierra, TBI Construction Management, reported that the inside work on the new Town Hall was moving along very well and he expected the Council Chambers to be ready to accommodate the City Council's hosting of the joint Los Altos and Los Altos Hills Special City Council meeting. He noted that the inclement weather had slowed the site work. Vierra was hopeful that the Donor Tiles could be installed on April 27, 2005.

Duffy Price, Donor Wall Chair, provided a status report on the donor tile layout and "placement" selection process of the tiles on the wall and the ongoing fundraising efforts of her Committee.

#### 5.1.2 Underground Project Status

Acting City Engineer/Public Works Director Dave Ross reported that the project was on schedule. He had a meeting scheduled with SBC on April 8<sup>th</sup> and expected to submit the draft plans to the Committee on April 26, 2005.

### 5.2 Conceptual Principles of the Sewer Agreement between the Town of Los Altos Hills and the City of Los Altos

Acting City Engineer/Public Works Director Dave Ross introduced this item to Council. Council had before them the staff "Response to Principles" for amending the existing sewer agreement between the Town of Los Altos Hills and the City of Los Altos. Ross explained that Council approval of the "Response to Principles" would allow the Council subcommittees and staff to proceed with negotiations and the drafting of a new sewer agreement. Ross offered that the most critical changes from the 1975 agreement was that costs under the new principles would be based on actual measured flows versus calculated flows and the agreement would transfer the permitting responsibility for Town residents to the Town. Ross clarified that the payment would be based on the

measurement of the flow 24/7. The City of Los Altos Master Sewer Plan was expected to be finalized in the near future and would clarify their capability to provide more capacity rights to the Town.

Mayor O'Malley reported that he and staff had been meeting regularly with the City of Los Altos and noted that Council acceptance of the "Principles" would synchronize nicely with the joint Council meeting for any discussion of the agreement.

**MOTION SECONDED AND CARRIED:** Moved by Warshawsky, seconded by Jones and passed unanimously to approve the staff "Response to the Principles" for amending the sewer agreement between the City of Los Altos and the Town of Los Altos Hills.

### 5.3 Consideration of Appointment of Council Liaison to the Environmental Initiatives Committee

Following a brief discussion, Council concurred to postpone this item for discussion by the full Council at the next scheduled Council meeting.

### 5.4 Request for Authorization for the Design Survey of Segment 1 of the Moody Road/El Monte Road Corridor Transportation Master Plan – Resolution #33-05

Acting City Engineer/Public Works Director Dave Ross explained that the request before Council for their consideration was for design surveys along Moody Road and El Monte. This was the first step for the design work for Segment 1 of the Moody Road/El Monte Road Corridor Transportation Master Plan Project that was authorized by Council at their March 17, 2005 meeting. The agreement with Mark Thomas & Co. was for a not-to-exceed total of \$14,780. Ross noted that the amount had been included in the proposed Master Plan budget and sufficient funds were available in the Pathway CIP Fund.

**MOTION SECONDED AND CARRIED:** Moved by Jones, seconded by Warshawsky and passed unanimously to approve Resolution No. 33-05 authorizing execution of an agreement with Mark Thomas & Company, Inc. for the design survey of Segment 1 of the Moody Road/El Monte Road Corridor Transportation Master Plan.

## 6. NEW BUSINESS

### 6.1 Response to City Council Inquiries on Salaries, Benefits and Post Retirement Health Insurance Costs

Administrative Services Director Sarah Joiner introduced this item to Council. She explained that the report before Council had been prepared to address some of the concerns that were raised during the March 17, 2005 joint study session of the Finance and Investment Committee and City Council. The concerns raised were about a potential fiscal crisis of the Town due to the cost of employee benefits and the cost of health insurance paid on behalf of retired employees. Joiner had prepared the staff report with a narrative and historical perspective and analyses of salary and benefit costs and operating expenditures. She noted that the data showed that benefit costs and retiree benefits were neither out of control or threatening the fiscal health of the Town.

Joiner explained that because Mayor Pro Tem Kerr and Councilmember Mordo had expressed an interest in this subject, staff was requesting continuation of the discussion to a future Council meeting.

Joiner reviewed her report with Council. It was noted that during the thirty (30) years with the CalPERS health plan, the Town had enrolled 95 employees. Post-retirement health benefits were available only to employees who retire from the Town and that currently only three retirees were receiving a health benefit or 3% of the number of employees who had been enrolled.

Council thanked Joiner for her excellent report and analyses. Councilmember Jones commented that he concurred with Council's assessment of the report and offered that it was exactly the information needed to understand the issue and that the Town's situation appeared very favorable in comparison to other jurisdictions.

## 7. REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES

### 7.1 Town Picnic – Roy Woolsey, Chair, Community Relations Committee

Community Relations Committee Chair Roy Woolsey addressed Council. He noted that Council had before them a proposal for the annual Town picnic including the budget request, event description and draft promotional flyer that would be mailed to all Town residents. Woolsey reviewed the Committees philosophy for the event with Council that included no commercialism, no active solicitation and no cost. The picnic would be open to residents only. The picnic budget proposal was \$17,000.

Woolsey introduced Committee member Roger Burnell to provide highlights of the day's planned activities. Burnell explained that the Committee was planning a fun, exciting and more "adventurous" event this year. He described for Council the new features that would replace the children's games that included game booths, a velcro wall, a horizontal bungee and a water/dunking booth that Burnell titled the "All Star Fun" or "Strike for Fun".

Mayor O'Malley thanked Woolsey and Burnell and congratulated them on their efforts to host a dynamic event.

**MOTION SECONDED AND CARRIED:** Moved by Jones, seconded by Warshawsky and passed unanimously to approve the proposed budget, mailer and general plan as presented by the Community Relations Committee for the June 5, 2005 Town Picnic.

## **COUNCILMEMBER REPORTS**

Councilmember Jones reported that he had attended the Santa Clara County Cities Association meeting. They had voted to endorse SB680.

Councilmember Warshawsky reported he had attended the Emergency Communications Committee. The Committee was in the process of completing the application for the La

Cresta tank antenna. Acting City Engineer/ Public Works Director Dave Ross noted that he was working with the Committee to move the application forward. He would keep Councilmember Warshawsky apprised of their progress.

## 8. STAFF REPORTS

8.1 City Manager

8.2 City Attorney

8.3 City Clerk

8.3.1 Report on Council Correspondence

## 9. COUNCIL-INITIATED ITEMS

9.1 Discussion of Wildlife Corridors and Conservation Easements -  
Mayor O'Malley

Mayor Mike O'Malley explained that he had brought this issue forward to the Council for their consideration following the interest that had been voiced by Town residents for wildlife corridors. O'Malley noted that there were numerous wildlife paths/corridors throughout the Town into Byrne Preserve, Rancho San Antonio, Foothills Park and other Open Space lands and there was a concern that fencing would substantially diminish the flow of animals. He offered that Los Altos Hills was a rural environment and that there should be efforts made to live in concert with the wildlife. O'Malley explained that Planning Director Carl Cahill had suggested and he concurred, that the Town engage a wildlife biologist to identify the areas in Town that should be considered for a wildlife corridor designation. O'Malley explained that a professional assessment would ensure that there was no prejudice in the identification of the corridors that would be established. They would be similar to conservation easements or possibly an addendum to conservation easements.

Mayor O'Malley suggested that the Opens Space Committee be charged with investigating how to "weave" the proposed designation into the Town's existing Municipal Code. They could investigate the different options and research existing codes in the Town's neighboring cities. Following this initial review, their recommendations could be forwarded to the Planning Commission for public hearings and ultimately to the City Council for their consideration.

Council discussion ensued regarding Mayor O'Malley's proposal. They concurred with his approach and offered that it was systematic and with the assistance of a professional to identify the designated areas, it was fair. Councilmember Jones noted that essentially the Open Space Committee would be reviewing fencing restrictions in certain designated areas not limitations or restrictions on the building of homes.

**PASSED BY CONSENSUS:** To direct staff to work with the Open Space Committee to begin the process of review and to engage the services of a wildlife biologist.

## 10. PRESENTATIONS FROM THE FLOOR

Jitze Couperus, Page Mill Road, acting on behalf of resident Alice Sakamoto, read into the record a letter from her with regards to the potential loss of a significant wildlife habitat and corridor with the proposed fencing of the Stegner property.

Mayor O'Malley thanked Couperus and noted that he had agendized for discussion at this meeting the issue of wildlife corridors in the Town.

Nancy Couperus, Page Mill Road, Open Space Committee, invited the Council and audience to the annual Earth Day Celebration at Westwind Barn featuring "Leopards, Etc.". Couperus noted that participating groups included Los Altos Hills committees, local conservation and wildlife groups, schools and recycling organizations. She provided Council with a complete list of the participants.

John Harpootlian, Anacapa Drive, reported that he had attended the Los Altos School District meeting and their Finance Committee had made a presentation. He noted that one of the Committee members was a Los Altos Hills City Council appointee and suggested that it would be beneficial if he reported to Council periodically.

#### 11. PUBLIC HEARINGS

None

Passed by consensus of the Council to adjourn to the Closed Session at 7:12 p.m.

#### 12. CLOSED SESSION

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: Government Code Section 54956.9(a): Town of Los Altos Hills v. Los Altos School District

The City Council reconvened to the Regular City Council meeting 7:47 p.m.  
No action was taken by the Council.

#### 13. ADJOURNMENT

There being no further business, the Regular City Council meeting was adjourned by consensus at 7:48 p.m.

Respectfully submitted,

Karen Jost  
City Clerk

The minutes of the April 7, 2005 City Council Meeting were approved as presented at the May 5, 2005 City Council Meeting.